

### **III. REMARKS**

Claims 1-10 were presented and each claim was amended herein, and new claim 11 has been added. No new matter is believed added. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the claims in a subsequent patent application that claims priority to the instant application.

In the Office Action, the drawings were objected to. Applicant is attempting to obtain a clean version of Figure 4 that clearly depicts each of features referred to in the specification. Applicant will submit such a version in a supplemental response. With regard to Figures 1-3, Applicant submits that the Figures as submitted adequately depict the features in the claims. Although the boxes are empty, their intent is to show an overall flow of steps, which are described in detail in the specification. Moreover, it has been USPTO practice to treat an application that contains [a] method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence). MPEP 601.01(f). Accordingly, Applicant respectfully requests that the objection in paragraph 6 of the office action be withdrawn.

With respect to the Office's suggestion regarding the specification, Applicant thanks the Office for providing information about recommended section headings. However, Applicant respectfully declines to add the headings. Section headings are not statutorily required for filing a non-provisional patent application under 35 U.S.C. § 111(a), but per 37 C.F.R. § 1.51(d) are only guidelines that are suggested for Applicant's use. See *Miscellaneous Change in Patent Practice*, Response to comments 17 and 18 (Official Gazette, August 13, 1996) [Docket No.:

950620162-6014-02] RIN 0651-AA75 (“Section 1.77 is permissive rather than mandatory. ... [T]he Office will not require any application to comply with the format set forth in 1.77”.”

With respect to rejection of claims 5-6 under 35 USC 112, second paragraph, Applicant has herein amended these claims solely to circumvent the §112 rejection. Applicant submits that the amendments address the issue and the rejection should be withdrawn.

With respect to the 35 USC 101 rejection of claim 7, Applicant has herein amended the claim solely to circumvent the §101 rejection. Applicant submits that the amendment addresses the issue and the rejection should be withdrawn.

Claims 1, 3-5 & 7-10 were rejected under 35 USC 102(c) as being anticipated by Silliassen, US 2002/0135474. Claim 2 was rejected under 35 USC 103(a) as being unpatentable over Silliassen in view of Lidow et al., US 4,228,806. Claim 6 was rejected under 35 USC 103(a) as being unpatentable over Silliassen in view of Wiebking DE 3338649 A.

Applicant traverses these rejections for the following reasons. Claim 1 (and similarly claim 8) recites “switching the electronic device to a *hibernation mode* when it has been determined that the user is asleep.” None of the prior art references teach or suggest the use of a hibernation mode to save power. Instead, the cited art simply teaches turning off the device in question. As is understood in the art of electronics, hibernation is a power mode in which the device remains turned on, but with limited functionality to save power. Silliassen teaches a “method and device thereof for automatically tuning an electronic device off.” (See abstract.) Lidow teaches inhibiting an alarm if the user is in a deep sleep. (See Abstract). Wiebking teaches turning off a source using a delay in order to avoid re-awakening the user – as opposed to using a hibernation mode to save power. Accordingly, Applicant submits that because none of the cited art teaches using a hibernation mode, the claims are in condition for allowance.

Claims 5 and 6 (and similarly claims 9 and 11) include further distinguishing features. Namely, claim 5 recites “wherein the hibernation mode includes reducing an image size output by the electronic device” and claim 6 recites “wherein the hibernation mode includes reducing quality of an image output by the electronic device.” None of the cited art provides such features. Accordingly, Applicant submits that these features further distinguish over the art of record.

Each of the claims not specifically addressed herein is believed allowable for the reasons stated above, as well as their own unique features.

Applicant respectfully submits that the application is in condition for allowance. If the Examiner believes that anything further is necessary to place the application in condition for allowance, the Examiner is requested to contact Yan Glickberg at the telephone number listed below.

Respectfully submitted,



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